



CITY OF HOLLY HILL, FLORIDA

CITY COMMISSION

MINUTES • SEPTEMBER 12, 2016

City Commission Chamber

First Public Hearing Budget Meeting

7:00 PM

CITY HALL
1065 RIDGEWOOD AVENUE
HOLLY HILL, FL 32117

City Clerk's office: (386) 248-9441 - Fax: (386) 248-9448

1. CALL TO ORDER

A. Roll Call

Vice-Mayor asked for a motion to excuse Mayor Penny from the meeting.

*Commissioner Albert made a motion to **EXCUSE** Mayor Penny from the Commission meeting, seconded by Commissioner Byrnes.*

PASSED, 3-0.

Attendee Name	Title	Status	Arrived
Arthur J. Byrnes	District 1 - Commissioner	Present	
Penny Currie	District 2 - Commissioner	Present	
Elizabeth Albert	District 4 - Commissioner	Present	
John Penny	Mayor	Absent	

B. Invocation

Pastor Chuck McKeown led the invocation and shared his condolences for Commissioner John Capers in his passing away last week and extended condolences to his family members.

C. Pledge of Allegiance to the Flag

Vice-Mayor Currie led the Pledge of Allegiance to the Flag.

Vice-Mayor Currie stated before starting the meeting I would like to give my sincere condolences to the family of Commissioner John Capers, who unexpectedly passed away on Saturday, September 3rd. Commissioner Capers was a dedicated husband, father and grandfather. He was very kind, humorous and passionate about his position as a City Commissioner. Commissioner Capers will be greatly missed as a public official but more importantly, as a friend. Vice-Mayor Currie stated at this time she will open to the Commission and staff for any comments. She will ask that the public make their comments during public participation.

Commissioner Albert stated Commissioner Capers was passionate about the things he believed in but you knew in the inside, a heart of gold. She knows that there will be no replicating a fine, fine, fine individual like that.

Commissioner Byrnes stated unlike many folks in this room, he only met Commissioner Capers through his service here as a City Commissioner and watching how he worked and seeing some of his thought processes helped me to think a little bit better sometimes of the other side of things. Commissioner Byrnes stated himself and Commissioner Capers often agreed just as often, not quite as often, but they disagreed but it was always, when it's over, shake hands, move on and continue their work for the City of Holly Hill. Commissioner Byrnes stated he was shocked and saddened when he first heard of his passing.

Mr. Forte stated he is going to reserve his comments for the right time.

Vice-Mayor Currie stated just so everyone knows, the city is in no way, absolutely in no way, slighting Commissioner Capers. The City will have some type of a ceremony where his family can be here. Obviously, his family is still in the grieving process, they are planning for Friday's memorial service. At the appropriate time, the City will have some type of a service or ceremony for Commissioner Capers and make sure that's done right.

2. PUBLIC HEARINGS - BUDGET

1. Resolution

Resolution 2016-R-38 A Resolution of the City Commission of the City of Holly Hill, Volusia County, Florida, Adopting the Tentative Levying of Ad Valorem Taxes for the City of Holly Hill for the Fiscal Year 2016-2017; and Providing for Severability; and Providing for an Effective Date.

(Requested by Kurt Swartzlander, Finance)

Attorney Simpson read the entire Resolution into the record:

RESOLUTION

2016-R-38

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, VOLUSIA COUNTY, FLORIDA, ADOPTING THE TENTATIVE LEVYING OF AD VALOREM TAXES FOR THE CITY OF HOLLY HILL FOR THE FISCAL YEAR 2016-2017; AND PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, The City of Holly Hill of Volusia County, Florida, on September 12, 2016, adopted a Fiscal year 2016-2017 tentative millage rate following a public hearing as required by Florida Statute 200.065; and

WHEREAS, the City of Holly Hill of Volusia County Florida, held a public hearing as required by Florida Statute 200.065; and

WHEREAS, the gross taxable value for operating purposes not exempt from taxation Volusia County has been certified by the County Property Appraiser to the City of Holly Hill as \$540,381,177.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA AS FOLLOWS:

SECTION 1. The FY 2016-2017 operating millage is 6.8949 mills, which is equal to the rolled-back rate of 6.8949 mills.

SECTION 2. The Final Public Hearing will be September 27, 2016.

SECTION 3. SEVERABILITY. If any section or portion of a section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other section or part of this Resolution.

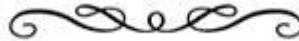
SECTION 4. EFFECTIVE DATE. This Resolution shall take effect immediately upon adoption by the City Commission.

Vice-Mayor Currie opened public participation. No one spoke.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Elizabeth Albert, District 4 - Commissioner
SECONDER:	Arthur J. Byrnes, District 1 - Commissioner
AYES:	Byrnes, Currie, Albert
ABSENT:	Penny

RESOLUTION

Enacted and approved this 12th day of September, 2016, in Holly Hill



2. Resolution

Resolution 2016-R-39 A Resolution of the City Commission of the City of Holly Hill, Volusia County, Florida, Adopting the Tentative Budget for the City of Holly Hill for the Fiscal Year 2016-2017; and Providing for Severability; and Providing for an Effective Date.

(Requested by Kurt Swartzlander, Finance)

Attorney Simpson read title only:

RESOLUTION 2016-R-39

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, VOLUSIA COUNTY, FLORIDA, ADOPTING THE TENTATIVE BUDGET FOR THE CITY OF HOLLY HILL FOR THE FISCAL YEAR 2016-2017; AND PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Kurt Swartzlander, Finance Director/Asst. City Manager, stated the packet in front of the Commission is rather lengthy. These are the pages that have been impacted by a few changes that he would like to go through but the changes are rather simple. The first thing was, staff inadvertently left off the homeless, the Hope Place Funding out of the CDBG that was approved by the CDBG and the Commission had approved it as part of the approval of the application and staff inadvertently left it out of that section of the budget. They also had two other changes. At the request of the City Manager staff added an

expense item for a salary survey for the city-wide employees in next year's budget. Also, this past week, the city received the updated insurance rates which were an additional \$13,000 that they had amended into the budget. That's part of the reason the packet in front of them is so thick because of the changes. When he says insurance, he is saying these are the property causality, auto, liability, those types of insurances not medical. Those are spread across all the funds so every fund that was impacted, staff gave the Commission the detail and the summary pages for that. It's a total of about \$49,900 impact out of a \$38 million dollar budget so it's small amounts. If the Commission has any questions, he will be glad to answer them. Otherwise, he will need a motion to include these amendments to the budget.

Vice-Mayor Currie asked if any member of the Commission had questions of Mr. Swartzlander. There was none.

Vice-Mayor Currie opened public participation. No one spoke.

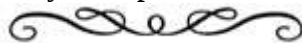
Commissioner Byrnes made a motion to include the amendments to the budget as presented by staff, seconded by Commissioner Albert.

PASSED, 3-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Arthur J. Byrnes, District 1 - Commissioner
SECONDER:	Elizabeth Albert, District 4 - Commissioner
AYES:	Byrnes, Currie, Albert
ABSENT:	Penny

RESOLUTION

Enacted and approved this 12th day of September, 2016, in Holly Hill



3. Resolution

Resolution 2016-R-40 A Resolution of the City of Holly Hill, Florida, Setting the Final Stormwater Utility Fee at \$7.00 Per Equivalent Residential Unit; Establishing the Equivalent Residential Unit for Non-Residential and Multi-Family Properties; Providing for Severability; Providing for Conflicting Resolutions; and Providing an Effective Date.

(Requested by Kurt Swartzlander, Finance)

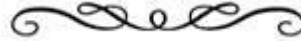
Mr. Forte stated that this is the same rate that was applied last year. No increase.

Vice-Mayor Currie opened public participation. No one spoke.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Elizabeth Albert, District 4 - Commissioner
SECONDER:	Arthur J. Byrnes, District 1 - Commissioner
AYES:	Byrnes, Currie, Albert
ABSENT:	Penny

RESOLUTION

Enacted and approved this 12th day of September, 2016, in Holly Hill



3. PUBLIC COMMENTS

The following individuals spoke to the Vice-Mayor and Commissioners:

Ray Plate, 1580 Riverside Drive Holly Hill, stated as a few people have already said, the city did lose Johnny Capers on September 3, 2016 unfortunately. He thinks and everybody here and everybody on the outside of Holly Hill knew John as he stood as husband, father, grandfather, first responder, retired Firefighter, City Commissioner for the community of Holly Hill and above all, a friend. John always put community, family and friends first, fought for all community members, adults, children such as safety, sidewalks and so forth, ball parks, public parks of all kinds and for everyone. Mr. Plate stated that he spoke to John's wife, Christine, and he told her he would like to make a proposal to name the park on the 1500 block of Riverside Drive "Commissioner Capers Park". If that can be discussed or considered, himself and a lot of other people that knew John would be honored and as his wife, Christine said, "I don't want them to do it for my loss. I want them to do it if it's reviewed by the City of Holly Hill." John did stand for all of the Commissioners.

Vice-Mayor Currie stated she appreciates that. Any move, such as that, would be done at a later meeting when Mayor John Penny is here so that a majority of the Commission is here instead of tonight. They can look at that at a later meeting.

Mr. Plate stated thank you very much. Do they ever put the flag at half mast if somebody leaves?

Mr. Forte stated the flag etiquette does not allow for them to lower the flag for City Commissioners, however, the City flag will be lowered on the day of the service to half mast.

Mr. Plate stated thank you.

John Rawski, 416 Daytona Avenue, Holly Hill, stated he recently moved back here. His wife has been retired and has been through two brain tumor removals and where they have moved, all the neighbors try to help them. He is not familiar with the noise ordinance levels as far as what times they start and what times they end.

Mr. Forte stated it depends on the type of noise that it is and the decibel that it is. If he takes my business card, he can contact him or he will call Mr. Rawski and they can talk in specifics.

Mr. Rawski stated the problem is the neighbor that lives directly behind him starts his noise up between 1:00 am, 2:00 am, 3:00 am and it stops non-stop. Mr. Rawski stated he got a hold of Code Enforcement and they had supposedly given the neighbor a message and he was cursing and very belligerent, there's a lot going on back there. When he calls in, he does call the Police Department if he sees drug dealers out there. His neighbor had a car stereo and a laptop taken. He would like to make it safe. He came back home after all these years. He went to the Holly Hill Elementary school. He would like to be involved in the community and make it better. It takes a village.

Vice-Mayor Currie stated, absolutely it does.

Mr. Rawski stated when the neighbor's see the officers showing up, they will turn the noise off and when the officers leave they turn it back up. Mr. Rawski stated he has tried to explain to the neighbor and he thinks it's a game. The neighbor has to be respectful of the other neighbors and people are trying to go to work.

Doug Grell (?), 60 Surfview Drive, Palm Coast, stated he is a retired police officer and moved here eleven months ago, he's been in business five months. His business is Snow Cone Truck and he is here tonight to see if the city will reconsider letting him sell snow cones in the city.

Vice-Mayor Currie stated that is not on the agenda right now, for tonight. That may be something that could be taken up at a later date.

Mr. Grell (?) stated, okay. Thank you.

Vice-Mayor Currie closed public comments.

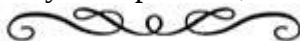
4. APPROVAL OF MINUTES

1.

Minutes - August 23, 2016 - Regular City Commission Meeting
(Requested by Valerie Manning, City Clerk)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Arthur J. Byrnes, District 1 - Commissioner
SECONDER:	Elizabeth Albert, District 4 - Commissioner
AYES:	Byrnes, Currie, Albert
ABSENT:	Penny

Enacted and approved this 12th day of September, 2016, in Holly Hill



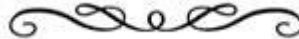
2.

Minutes - Election Results - August 30, 2016 - General Election

(Requested by Valerie Manning, City Clerk)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Arthur J. Byrnes, District 1 - Commissioner
SECONDER:	Elizabeth Albert, District 4 - Commissioner
AYES:	Byrnes, Currie, Albert
ABSENT:	Penny

Enacted and approved this 12th day of September, 2016, in Holly Hill

**5. CONSENT AGENDA - ITEMS (1 - 5)**

Vice-Mayor Currie asked if any member of the Commission would like to remove any item on the Consent Agenda for further discussion or if anyone in the audience wished to speak to any item on the Consent Agenda. There was no one.

1. Resolution

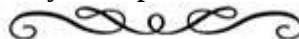
Resolution 2016-R-41 Fiscal Year 2016/2017 FDOT State Highway Lighting, Maintenance, and Compensation Agreement

(Requested by Mark Juliano, Public Works)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Arthur J. Byrnes, District 1 - Commissioner
SECONDER:	Elizabeth Albert, District 4 - Commissioner
AYES:	Byrnes, Currie, Albert
ABSENT:	Penny

RESOLUTION

Enacted and approved this 12th day of September, 2016, in Holly Hill

**2. Resolution**

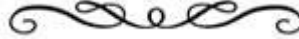
Resolution 2016-R-44 A Resolution of the City Commission of the City of Holly Hill, Florida, Authorizing the City Manager to Execute the 2016-2019 Memorandum of Agreement with the Florida Department of Transportation for the State Highway Right-Of-Way Maintenance Agreement; and Providing for Severability; and Providing for an Effective Date.

(Requested by Mark Juliano, Public Works)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Arthur J. Byrnes, District 1 - Commissioner
SECONDER:	Elizabeth Albert, District 4 - Commissioner
AYES:	Byrnes, Currie, Albert
ABSENT:	Penny

RESOLUTION

Enacted and approved this 12th day of September, 2016, in Holly Hill

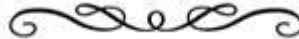


3.

Renewal of Architectural Continuing Services Contract – First Renewal
(Requested by Walt Smyser, Public Works)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Arthur J. Byrnes, District 1 - Commissioner
SECONDER:	Elizabeth Albert, District 4 - Commissioner
AYES:	Byrnes, Currie, Albert
ABSENT:	Penny

Enacted and approved this 12th day of September, 2016, in Holly Hill

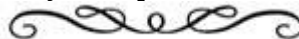


4.

Team Volusia - Economic Development Agreement
(Requested by Valerie Manning, City Clerk)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Arthur J. Byrnes, District 1 - Commissioner
SECONDER:	Elizabeth Albert, District 4 - Commissioner
AYES:	Byrnes, Currie, Albert
ABSENT:	Penny

Enacted and approved this 12th day of September, 2016, in Holly Hill

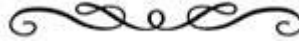


5.

FEMA Insurance Compliance Requirements
(Requested by Kurt Swartzlander, Finance)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Arthur J. Byrnes, District 1 - Commissioner
SECONDER:	Elizabeth Albert, District 4 - Commissioner
AYES:	Byrnes, Currie, Albert
ABSENT:	Penny

Enacted and approved this 12th day of September, 2016, in Holly Hill



6. REGULAR AGENDA

1. Ordinance

Ordinance 2983 An Ordinance of the City of Holly Hill, Florida; Amending Chapter 70 (Utilities) Article IV (Water Systems), Division 1 (Generally) and Division 2 (Extensions) Updating the Regulations to be Consistent with the Law and Current Operations and Amending the Title of Division 2 to Extensions, Deposits and Charges; Amending Section 70-74 (Restrictions on Use or Connections) to Provide a Definition of Available; Amending Section 70-171 (Required) to Provide When Connection to the Sewer System is Required to be Consistent with State Law; Providing for Conflicting Ordinances; Providing for Severability; and Providing an Effective Date.

(Requested by Kurt Swartzlander, Finance)

Mr. Swartzlander stated if the Commission remembers back in January and February they had some rather lengthy workshops on some proposals that staff was bringing forward on many different topics hydrant meter rentals, vacation accounts versus suspended accounts all of those things are hopefully addressed within this ordinance but he wanted to call out a couple of big pieces. One, they had discussed the late notices or the removal of late notices from the Utility Billing process that is included in the ordinance. They would like to give, with the beginning of the October bills, a three month notice to all of the citizens through the bill through the existing late notice process that the city will be doing away with it. They are not just going to stop it. There will be a process to inform all of the citizens of that change. As part of this, attached to that agenda item, was an update to cross connection control program. Public Works, the attorney, the City Manager worked on all of these items together if the Commission had any questions, they would be glad to answer them.

Commissioner Byrnes stated he had a problem with the no late notices during the workshops and such because there are people who don't pay their bills until they see the late notice that says the city is going to shut them down if they don't pay. They have a lot of working people in this city that don't have all of the resources. They juggle the bills. What can they pay today. Commissioner Byrnes asked what is the city going to replace the late notices with? Is somebody just going to show up and one day their water is going to be shut down?

Mr. Swartzlander stated all of the information is going to be on the current bill. It will show their current due date and that shut off date will be on their original bill.

Sometimes, depending on time....weekends and holidays, it will also show up on their second bill.

Commissioner Byrnes asked if they are going to put that in big red letters or something so the citizens will see it because that's his concern.

Mr. Swartzlander stated the change is on the bill. The notification on the existing bill right now if they have a past due balance the wording changes on there in big bold black lettering. If they have another color it costs a lot more to print them.

Commissioner Byrnes stated but the city is going to be saving money by not sending out late notices, right?

Mr. Swartzlander stated, yes.

Commissioner Byrnes asked so that can help the city buy another color?

Mr. Swartzlander stated the city doesn't print them. They have them printed and mailed by another company.

Commissioner Byrnes stated he just worries because we're a community of working people and a lot of folks are trying to pay their bills and if they don't see that they may not realize that the bill is due.

Mr. Forte stated Commissioner Byrnes, I fully expect there is going to be an adjustment to the community. That's why the city is going to do its best to notify them through the email accounts and through the billing in the special information block that's on the utility bill to let them know that card is not going out. The cost of the card is not that great, its about \$5,000 or \$6,000 a year. It's an efficiency savings that the city is trying to identify for the amount of staff time it takes to generate those cards and follow up and keep the record. Where if that information is printed on the original bill because currently it is not printed that way. The citizens will see a change to the bill that will say when its due, when its late and when its not paid by it will be turned off then. It's going to be an adjustment which is why the city wants to give a three month period between October and January 1, 2017 to start this and he is certain after January the city will get some people that are going to be upset but he thinks in a short period of time they will get used to that system the same way other cities have implemented it and have gotten used to it. It's not different when you pay your FPL bill. FPL doesn't send out cards. Your credit card companies don't send out cards. It's efficiency the way the city operates this business section of the government. This is the only true business function that this government has that the city sends out utility bills so the city is trying to make it as efficient as possible.

Commissioner Byrnes stated if it wasn't for all of the other important stuff in that ordinance he would probably vote against it but everything else is important. If the city has trouble with people adjusting to that, he would like to be able to bring this up at a later date to deal with that part of it.

Mr. Forte stated they can always do that. My question for you today would be, how many people makes it an issue? Ten people? A hundred people? A thousand people?

Commissioner Byrnes stated and that's what we'll see. If a thousand people are complaining, certainly it's an issue.

Mr. Forte stated he would agree with him.

Commissioner Byrnes stated if ten people are complaining, it might not be an issue but it's still something that he is concerned about because of the make of the community.

Mr. Forte stated they could always change it but if they don't take this step to try and find the efficiency, they will never know.

Commissioner Byrnes stated he understands.

Commissioner Albert stated she just wanted to say thank you, not only to Mr. Swartzlander and Ms. Colwell, Mr. Juliano and Mr. Forte, to everybody who worked on this. This has been a need that has been present ever since she took office in 2012. She wants to thank staff for listening to concerns and finding a solution whether it is a perfect solution or not, she thinks it is a good solution so thank you to all of the staff members who helped with this.

Vice-Mayor Currie stated she would like to say that she remembers when they were trying to diligently work on this and there was a lot of debate back and forth but she believes they came up with the three month period of warning, if you will, citizens or forewarning them, about the cutoff and the Commission felt that would be fair as a renter, homeowner or somebody that has a bill to pay, there should be some responsibility on that end to look at their bill. If they're doing so, the city is giving them three months notice that the city is not sending out these little cards any longer. She thinks they all agreed back during that time, during that workshop, that would be efficient and they would go from there and see what happens. They can always get information back as to how that's proceeding along.

Vice-Mayor Currie opened public participation.

The following individual spoke to the Vice-Mayor and Commissioners:

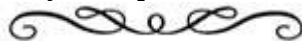
Jim Legary, 342 Burleigh Avenue, Holly Hill stated he would point out, Commissioner Byrnes, in order for them to receive this card in a working class neighborhood, it cost the city about 12% or 15%.

Vice-Mayor Currie closed public participation.

RESULT:	APPROVED AT 1ST READING [UNANIMOUS]	Next: 9/27/2016 7:00 PM
MOVER:	Elizabeth Albert, District 4 - Commissioner	
SECONDER:	Arthur J. Byrnes, District 1 - Commissioner	
AYES:	Byrnes, Currie, Albert	
ABSENT:	Penny	

ORDINANCE

Enacted and approved this 12th day of September, 2016, in Holly Hill



2. Resolution

Resolution 2016-R-42 A Resolution of the City Commission of the City of Holly Hill, Florida, Approving the Purchase of Property Identified as 471 Ferndale Street, Parcel #37-15-33-39-06-0130 and 475 Ferndale Street, Parcel #37-15-33-39-06-0160, 8Th Street, Parcel #44-14-32-01-08-0070 by Negotiated Sale; and Waiving Any and All Bidding Requirements; Providing for Severability; Providing for Conflicting Resolutions; and Providing an Effective Date.

(Requested by Joseph Forte, City Manager)

Mr. Forte stated this is a property that is located on 8th Street and Ferndale that the city identified as an appropriate site for a stormwater pond. This contract will give the city a little bit more time to do some due diligence, to have a meeting with the community and make sure they have no objection to a pond going in there. Alternatively, this property could be used for the construction of three homes. Although it's sized enough to fit four homes in order to get access to the center parcel they would have to take up the space of one of those parcels in order to get access bringing it back down to the equivalent of three lots. Staff estimated the price at about \$10,000 per lot by comparison of other vacant single-family home properties in the area, in the City of Holly Hill. Staff did speak with the consulting engineers, QLH and Associates, Inc., and although they didn't do a deep dive study on this, they believe that this property will serve as a benefit to the stormwater in that community, especially that area of the city, the central area of the city and the south end of the city. QLH estimate that the approximate cubic feet of runoff that it would handle is about 40,000 cubic feet. Mr. Forte stated he knows that doesn't mean a whole lot to the Commission in terms of the volume but it will be a significant improvement in that community.

Vice-Mayor Currie stated she is aware that there are some streets that flood pretty bad in that area.

Vice-Mayor Currie opened public participation.

The following individuals spoke to the Vice-Mayor and Commissioners:

Jeff Martin, 934 Jasmine Avenue, Holly Hill stated regarding the two properties in question, that particular property, the reason it was demolished in the first place is

because it is a low-lying point in the neighborhood. The worry right now, he doesn't know if they have actually done the investigation or not yet but in order to properly put a retention pond in there, he believes, if they can't just place at least 100 gallons of water at a time, it's going to cause a flooding situation to the existing homes. The only way that's going to be levitated because of the geography of the ground, as it's going to have to have a substantial banking built, especially around the eastern and southern lots. Also, the problem before with that property, before they built the houses that exist there now, that when these lots were laid out there was a dead man's land in the center of that entire piece of property that was never designated as to who exactly it belongs to or what they were able to do with it, therefore, they never built on that piece of property. As far as saturation, that ground has always had a problem with saturation. It definitely is a flood prone section. That's why a lot of those houses were demolished and nothing was ever built back in there.

Roland Via, former Mayor of Holly Hill, 534 Eagle Drive, Holly Hill stated buying the property is one thing, paying for the under grounding of all the pipes and everything like that, is there any guesstimation on what that cost would be? They just have to consider that before they buy the property and make sure that the city can afford pipes to get to it.

Mr. Forte stated the due diligence was done, Mayor. In this year's budget they budgeted for the purchase and design of the infrastructure and in the following year's budget they will be purchasing the construction of that.

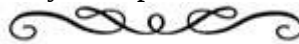
Mr. Via stated lesson learned, it's not on the agenda unless Mr. Forte has it already thought out. Thank you.

Vice-Mayor Currie closed public participation.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Arthur J. Byrnes, District 1 - Commissioner
SECONDER:	Elizabeth Albert, District 4 - Commissioner
AYES:	Byrnes, Currie, Albert
ABSENT:	Penny

RESOLUTION

Enacted and approved this 12th day of September, 2016, in Holly Hill



3. Resolution

Resolution 2016-R-43 A Resolution of the City of Holly Hill, Florida, Ratifying an Agreement with the N.A.G.E. Bargaining Unit Members Expiring on September 30, 2018; Providing for Severability; Providing for Conflicting Resolutions; and Providing an Effective Date.

(Requested by Joseph Forte, City Manager)

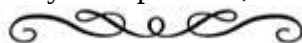
Mr. Forte stated it was a long process and it's over with. It's done. He's glad the remaining two years are underway.

Vice-Mayor Currie opened public participation. No one spoke.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Arthur J. Byrnes, District 1 - Commissioner
SECONDER:	Elizabeth Albert, District 4 - Commissioner
AYES:	Byrnes, Currie, Albert
ABSENT:	Penny

RESOLUTION

Enacted and approved this 12th day of September, 2016, in Holly Hill



7. PUBLIC HEARINGS - SECOND READINGS

1. Ordinance

Ordinance 2979 An Ordinance of the City of Holly Hill, Florida, Relating to Special Events; Creating a New Section of the City Code; Providing for Codification; Providing for Conflicting Ordinances; Providing for Severability; and Providing for an Effective Date.

(Requested by Thomas Harowski, Board of Planning and Appeals)

Tom Harowski, City Planner, stated the proposal before the Commission is to give staff a mechanism for handling normal business type special events in the city's Code, in addition to the process that they have for the recognized city events that tag on to area wide events like Bike Week and Biketoberfest. The process will allow businesses to have up to twenty days a year, special events, he thinks subsequent to first reading, the Commission corrected the items and have been noted and he is available to answer any questions.

Commissioner Byrnes stated clarification, twenty days of special events beyond what's on the city's special events calendar?

Mr. Harowski stated, yes.

Commissioner Byrnes stated from the Commission's discussion last time, his understanding was that staff was going to work on a fast track application for someone who just wants to have a food truck special event which would allow them to have a food truck once a month because twenty special events, a little more than once a month and...

Mr. Forte stated that was under the food truck ordinance which was tabled.

Commissioner Byrnes stated, no. The Commission were told that the food trucks could also be...they could have just a special event for a food truck.

Mr. Forte stated if they're just bringing a food truck, let's say for example, if somebody is doing a one year anniversary and they want a food truck on their property for that special event, yes, that will be a much more simple process than someone who wants to do an extended special event that has fireworks.

Commissioner Byrnes stated, right.

Mr. Forte stated, yes.

Commissioner Byrnes stated his understanding was that the city was going to create a food truck special event application so that they didn't have to go through all the normal, all the other special events stuff if they were bringing in a bounce house and all that other kind of stuff.

Mr. Forte stated, right. If there is no other impact to the property other than brining the food truck onto the property and verifying the location, with regard to the parking requirements, it will be a much quicker process than if of someone bringing all those other things onto the property that will need more a site plan review.

Commissioner Byrnes stated okay. He just wanted that on the record because that's how he understood it.

Commissioner Albert stated her only concern is the cost of the special event permitting but this is probably not the appropriate time to discuss that but she would just like to make sure that she puts that out there. She thinks at some point it would be important for the Commission to take a look at the fees involved and obtaining a special event permit.

Vice-Mayor Currie stated she agrees with that.

Vice-Mayor Currie opened public participation. No one spoke.

Commissioner Byrnes stated he had another question for Mr. Harowski. Commissioner Albert brought up the costs.

Mr. Forte stated the cost is not in the ordinance. Staff will be bringing back a fee resolution at the next meeting and that will have the cost in there. Staff is anticipating that the cost for a special event permit, if he's not mistaken, is going to be \$200.00.

Commissioner Byrnes stated he would like to see it a lot lower for a food truck special event.

Mr. Forte stated staff will take his recommendation. The city does a special event permit, for example, Bike Week/Biketoberfest where the city charges \$200.00. In the case of this type of special event it can be as minimal as one day or it can be several days. The

Commission can think about it as a fee price per day, whatever that could be or a flat fee. Just something for the Commission to think about before they throw motions out there.

Vice-Mayor Currie stated she's not asking for any motions to be thrown except for maybe the Commission can look at it at their next meeting.

Mr. Forte stated if they want to give him an idea as to what they want, staff can write it into that fee resolution.

Commissioner Albert stated she was going to suggest maybe in the weeks between the next meeting those things could be looked at and that information could be provided because they certainly wouldn't want to do anything without Mayor Penny being here and having his input. If they could proactively look at, perhaps, all of the ancillary costs that are involved, whether its clean up or law enforcement or whatever and maybe figure out per day what those costs may be.

Mr. Forte stated remember, the fee is strictly a permit fee. If there are other costs where they have to hire on law enforcement or anything of that nature, they would pay additional costs for that. They are just talking about...

Vice-Mayor Currie stated so those are added.

Commissioner Albert stated so that's why it's set at \$200.00.

Mr. Forte stated they are going to set it at something. He thinks because this is a little different than a weeks long special event, that it may be one day, it may be a week event, the Commission may want to think about it as a per day fee with a minimum, whatever that may be. That would be a good direction to go in.

Commissioner Albert stated so when they do Bike Week it's ten days, right? Ten days for \$200.00?

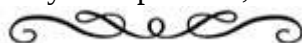
Mr. Forte stated, yes.

Vice-Mayor Currie stated she believes they should consider lowering that a little bit.

RESULT:	ADOPTED AT 2ND READING [UNANIMOUS]
MOVER:	Elizabeth Albert, District 4 - Commissioner
SECONDER:	Arthur J. Byrnes, District 1 - Commissioner
AYES:	Byrnes, Currie, Albert
ABSENT:	Penny

ORDINANCE

Enacted and approved this 12th day of September, 2016, in Holly Hill



2. Ordinance

Ordinance 2982 An Ordinance of the City of Holly Hill, Florida Amending Chapter 42, Pensions and Retirement; Article Iii, Firefighters' Pension; Division 1. Generally of the Code of Ordinances of the City of Holly Hill, Florida; Amending Section 4 2 - 6 5 , Contributions ; Providing for Codification; Repealing All Ordinances in Conflict Herewith and Providing an Effective Date.

(Requested by Kurt Swartzlander, Finance)

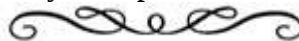
Mr. Forte stated this is what they had bargained in the I.A.F.F. contract where they reduced their pension contribution from 8% to 7% in exchange for them forfeiting another benefit in the contract.

Vice-Mayor Currie opened public participation. No one spoke.

RESULT:	ADOPTED AT 2ND READING [UNANIMOUS]
MOVER:	Elizabeth Albert, District 4 - Commissioner
SECONDER:	Arthur J. Byrnes, District 1 - Commissioner
AYES:	Byrnes, Currie, Albert
ABSENT:	Penny

ORDINANCE

Enacted and approved this 12th day of September, 2016, in Holly Hill



8. COMMUNICATIONS

A. City Manager and Staff Comments

1. -DOC-2016-16

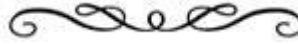
Synergy Billing Lease of Unit 202 at the Market

(Requested by Joseph Forte, City Manager)

Mr. Forte stated the city leased out Unit 202 at The Market to Synergy Billing, Inc., for them to expand their compliance offices. Typically, he would bring those to the Commission but they needed access to the building by September 1, 2016 so staff executed a contract with the same price per foot as they did with the other two units that they are currently leasing.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Arthur J. Byrnes, District 1 - Commissioner
SECONDER:	Elizabeth Albert, District 4 - Commissioner
AYES:	Byrnes, Currie, Albert
ABSENT:	Penny

Enacted and approved this 12th day of September, 2016, in Holly Hill



2.

Budget Amendment(S) - Staff Report Only City Manager Level Amendment(S)

(Requested by Kurt Swartzlander, Finance)

Mr. Forte stated this is a budget amendment report in regards to the breakdown of the vacuum pump for the Vac-tor Truck and that was a \$15,000 repair. It cleans the catch basins out. They used it heavily before the last storms that came through. They need that to make sure the catch basins flow freely.

Mr. Forte stated there are a couple of items that he is looking for action on from the Commission. On September 17th the folks that did the movies in Sunrise Park, they were rained out of the June meeting and they would like to go ahead and schedule September 17th and play Disney's *Inside Out* movie at Sunrise Park. He just needs the Commission's authorization for that to take place and the folks would like to come back and do an extended agreement to do more movies in the park throughout the year.

Vice-Mayor Currie asked if the Commission was in favor of allowing the September 17th movie in the park. There was consensus from the Commission to allow the movies in the park for September 17th.

Commissioner Albert asked how are they advertising for the movies?

Mr. Forte stated he had a meeting with Scott and some other members of staff and they put together a way of getting information out through the city's website, Facebook, the media, print media, tv media, radio media and in addition to that, with Facebook the city is able to boost the message out and for an "x" number of dollars you can send it out to a select number of groups within a certain area code and in addition to that, the movie folks have their own marketing that they use to get the information out themselves. The first movie had about 20-25 attendees. The last one had about 60-65 attendees so it's getting up there and they would like to continue it.

Mr. Forte stated the other thing he has is last year when they adopted the two year special events calendar, the Commission agreed to extend Biketoberfest as a 10-day event but the city is only advertising it as the 4-day event because that's what the CBB and the marketing folks in Daytona don't want different dates going on. Mr. Forte stated the Commission didn't talk about "this year's" so without any objection the city will continue to allow those folks coming in to operate a Biketoberfest event to put on a 10-day period beginning on the Friday before and running until the Sunday after.

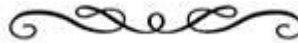
Vice-Mayor Currie asked if there was any objection. There was none from the Commission.

Mr. Forte stated he received several petitions, although he has not verified the list of folks that were requesting the food trucks to come back. He heard what the

Commission said earlier that they would rather wait for this to come back, at least, this portion to come back when Mayor Penny is here and let him be a part of the conversation and to revisit that resolution.

Vice-Mayor Currie stated, yes. She appreciates the petitions that were done, however, she thinks it would be unfair to try to handle that this evening and would prefer to do so after Mayor Penny is back at the next meeting.

RESULT:	CM COMMENTS
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B. City Attorney Comments

Attorney Simpson extended his condolences to Commissioner Capers family. His thoughts and prayers go out to the Capers family. That was quite a shock when Mr. Forte called him Saturday morning. It's very sad and it makes you appreciate every day you have.

C. Mayor's Comments

Vice-Mayor Currie thanked everyone for coming out and the food trucks for coming with the bad weather and look forward to seeing them again next month. In case people are not aware and would like to attend Commissioner Capers memorial service it will be Friday, September 16 at 11:00 am at the Basilica of Saint Paul on Mullally Street in Daytona.

D. City Commission Comments

Commissioner Albert thanked everyone who was able to come out and enjoy the food trucks and the shelter and safety of our beautiful City Hall while it was raining out.

Commissioner Byrnes stated he is still thinking about Commissioner Capers. It's been a tough time. He thanked everyone who voted for him and he is happy that he gets to sit in the seat for another two more years and help out the city. The reason he made his comments about the food trucks during that ordinance was because he knew that the Commission's intention was to still allow food trucks even if that ordinance is delayed or held up for some reason, they still have a place that allows the food trucks to come to businesses that invite them and he thinks that is good for everybody. AJ is doing good in Mongolia and it's already getting cold there.

9. ADJOURNMENT

The meeting adjourned at approximately 7:50 PM.


Valerie Manning, City Clerk CMC 9/12/2016

A handwritten signature in black ink, appearing to be 'JP' or 'John Penny', written over a horizontal line.

John Penny, Mayor

9/12/2016